

Notice of Allowability

Application No.

09/582,307

Examiner

Charles G. Freay

Applicant(s)

ESCH ET AL.

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the petition of September 23, 2008, and the Amendment of April 15, 2008.
2. ☒ The allowed claim(s) is/are 27-53.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20090911</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>4/2008</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner noted that the phrase "...in or on an area of an upper side of the support cage that faces the deflector" at the end of claim 27 is a broad limitation which allows the brush holder location to be interpreted as being near the upper end (Bass) of the cage, radially within the upper end of the cage (Carter et al) and also in the deflector (Beardslee). The examiner and the applicant agreed that the changes as set forth in the examiner's amendment read over the prior art by limiting the brush holders to be "disposed in or on an upper surface of the support cage". Additionally various and plural changes were discussed and agreed to relating to creating consistent terminology for the brush holder connector pins and the stator pack connectors. Lastly, various minor typographical errors were agreed to be corrected as set forth in the examiner's amendment.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric Swanson on September 11, 2009.

The application has been amended as follows:

In claim 27, line 4 after "and" "contact" has been deleted and --connector-- has been inserted therefore.

In claim 27, line 9 before "pins" "contact" has been deleted and --connector-- has been inserted therefore.

In claim 27 line 10 after "stator" "contacts" has been deleted and --pack connectors-- has been inserted therefore.

In claim 27 line 10 "an area of" has been deleted.

In claim 27 line 11 "side" has been deleted and --surface-- has been inserted therefore.

Claim 29 has been rewritten as set forth below:

--Claim 29 (Amended): The vacuum cleaner fan recited in claim 27, wherein the stator pack connectors ~~includes protruding stator pack connectors~~ protrude from the stator pack, and include a rim that extends from the cage and faces the deflector,

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the rim including receptacles configured to receive the brush holders and including
~~includes openings the~~ that extend into a wall of the support cage, the openings
configured to receive the stator pack connectors.--

In claim 31, lines 1 and 2, after "brush" "holders include brush" has been deleted.

In claim 31 line 2 after "pins" "extending" has been deleted and --extend-- has
been inserted therefore.

In claim 32 line 3 after "configured to" --provide for-- has been inserted and after
"at least one of" "provide for" has been deleted.

In claim 36, in each of lines 2 and 3 before "connector" --brush holder-- has been
inserted.

In claim 45 line 1 "center" has been deleted and --centering-- has been inserted
therefore.

In claim 47 line 1 "he" has been deleted and --the-- has been inserted therefore,
and after "guides" --are-- has been inserted.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Charles G. Freay whose telephone number is 571-272-
4827. The examiner can normally be reached on Monday through Friday 8:30 A.M. to
5:30 P.M..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on 571-272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Charles G Freay/
Primary Examiner
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CGF
September 11, 2009